

May 01, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DENISE W.<sup>1</sup>

No. 2:22-CV-00242-RHW

Plaintiff,

vs.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g) AND CLOSING FILE**

**ECF Nos. 13, 15**

Defendant.

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 15, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Chad Hatfield represents Plaintiff. Attorney Ellinor Coder represents Defendant.

After consideration, **IT IS HEREBY ORDERED** that:

1. The parties' Stipulated Motion for Remand, **ECF No. 15**, is **GRANTED**.
2. The above-captioned case be **REVERSED** and **REMANDED** to the

<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. See LCivR 5.2(c).

Commissioner of Social Security for further administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g).

The parties have stipulated to the following instructions. On remand, the Appeals Council will instruct the ALJ to:

- Re-evaluate the evidence; and
  - Issue a new decision.

*See ECF No. 15 at 2.*

**3. Judgment shall be entered for PLAINTIFF.**

4. Plaintiff's Motion for Summary Judgment (ECF No. 13) is STRICKEN.

AS MOOT.

5. Upon proper presentation, this Court consider Plaintiff's application for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

The District Court Executive is directed to enter this Order, enter

**Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

DATED May 1, 2023.

s/Robert H. Whaley  
ROBERT H. WHALEY  
Senior United States District Judge